

Richard A. Brody, Esq. (SBN 100379)
E-mail Address: rick.brody@bcoonlaw.com
BRENT COON & ASSOCIATES
44 Montgomery Street, Suite 800
San Francisco, CA 94104
Telephone: 415.489.7420
Facsimile: 415.489.7426

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALAN BOND,

Plaintiff,

v.

CBS CORPORATION, et al.,

Defendants.

Case No. CV-10-1048 EMC

**JOINT FRCP 26(f) REPORT AND
REQUEST FOR CONTINUANCE OF
INITIAL CASE MANAGEMENT
CONFERENCE ; ORDER RESETTNG CMC**
to 9/29/10

**Hearing Date: June 23, 2010
Time: 1:30 p.m.
Dept.: C, 15th Floor**

Complaint Filed: March 11, 2010
Trial Date: Not Set

This is an asbestos-related personal injury action filed on behalf of plaintiff Alan Bond. Mr. Bond is a 66-year-old man who has been diagnosed with lung cancer that plaintiff contends was caused by his past exposure to asbestos and asbestos-containing products.

In accordance with Federal Rule of Civil Procedure 26(f), and in accordance with the notice and directives of this Court, on June 8, 2010, the parties in this case met and conferred regarding the issue of initial disclosures, early settlement, the ADR process selection and a discovery plan. All parties were notified and invited to participate in the conference call. All parties jointly agreed upon all issues.

1 After meeting and conferring, all parties to this action request that the Court continue the
 2 initial case management conference and all deadlines pertaining thereto approximately sixty (60)
 3 days. Because this is an asbestos-related personal injury action, it is the expectation of all parties
 4 that a conditional transfer order will be issued by the United States Judicial Panel on Multi-District
 5 Litigation (MDL-875) and that this case will be ordered transferred to the MDL-875 litigation in
 6 Philadelphia, Pennsylvania, before the Honorable Eduardo C. Robreno.

7 All parties submit, as provided by Rule 26, subdivision (a)(1), that initial disclosures are not
 8 appropriate at this time because of the expected issuance of a conditional transfer order pertaining
 9 to this case. The parties therefore believe that Rule 26 procedures are premature and likely
 10 unnecessary at this juncture. The parties' objections are made, however, without prejudice to later
 11 disclosures should this case not be transferred to the MDL-875 proceedings.

12 The parties have stipulated that plaintiff's counsel may notice and take the deposition of
 13 plaintiff Alan Bond due to the potential exigent circumstances surrounding Mr. Bond's health
 14 status.

15
 16 DATED: June 8, 2010

BRENT COON & ASSOCIATES

17
 18 By: 

RICHARD A. BRODY
 Attorneys for Plaintiff ALAN BOND

19
 20
 21 DATED: June __, 2010

BRYDON, HUGO & PARKER

22
 23 By: _____

THOMAS J. MOSES
 Attorneys for defendants FOSTER
 WHEELER USA CORPORATION and
 LESLIE CONTROLS, INC.

Jun 09 2010 10:51AM TCI

602-476-1242

p. 3

1 After meeting and conferring, all parties to this action request that the Court continue the
 2 initial case management conference and all deadlines pertaining thereto approximately sixty (60)
 3 days. Because this is an asbestos-related personal injury action, it is the expectation of all parties
 4 that a conditional transfer order will be issued by the United States Judicial Panel on Multi-District
 5 Litigation (MDL-875) and that this case will be ordered transferred to the MDL-875 litigation in
 6 Philadelphia, Pennsylvania, before the Honorable Eduardo C. Robreno.

7 All parties submit, as provided by Rule 26, subdivision (a)(1), that initial disclosures are not
 8 appropriate at this time because of the expected issuance of a conditional transfer order pertaining
 9 to this case. The parties therefore believe that Rule 26 procedures are premature and likely
 10 unnecessary at this juncture. The parties' objections are made, however, without prejudice to later
 11 disclosures should this case not be transferred to the MDL-875 proceedings.

12 The parties have stipulated that plaintiff's counsel may notice and take the deposition of
 13 plaintiff Alan Bond due to the potential exigent circumstances surrounding Mr. Bond's health
 14 status.

15
 16 DATED: June 8, 2010

BRENT COON & ASSOCIATES

By: 

RICHARD A. BRODY
 Attorneys for Plaintiff ALAN BOND

21 DATED: June 9, 2010

BRYDON, HUGO & PARKER

By: 

THOMAS J. MOSES *Tara-Jane Flynn*
 Attorneys for defendants FOSTER
 WHEELER ~~USA CORPORATION~~ LLC
 and
 LESLIE CONTROLS, INC.

1 DATED: June 9, 2010

KNOTT & GLAZIER LLP

By: 

BRIAN THOMAS CLARK
Attorneys for defendant LOCKHEED
SHIPBUILDING COMPANY

7 DATED: June __, 2010

HAIGHT BROWN & BONESTEEL LLP

By: _____

NAIRI PATERSON
Attorneys for defendant NORTHROP
GRUMMAN CORPORATION

13 DATED: June __, 2010

YARON & ASSOCIATES

By: _____

GEORGE D. YARON
Attorneys for defendant TODD
SHIPYARDS CORPORATION

19 DATED: June __, 2010

THE DAVIS LAW FIRM

By: _____

WHITNEY A. DAVIS
Attorneys for defendant VIAD
CORPORATION

1 DATED: June ____, 2010

KNOTT & GLAZIER LLP

3 By:

4 BRIAN THOMAS CLARK
5 Attorneys for defendant LOCKHEED
6 SHIPBUILDING COMPANY

7 DATED: June 9, 2010

HAIGHT BROWN & BONESTEEL LLP

9 By:

10 NAIIRI PATERSON  Daniel J. Kelly
11 Attorneys for defendant NORTHROP
12 GRUMMAN CORPORATION

13 DATED: June ____, 2010

YARON & ASSOCIATES

15 By:

16 GEORGE D. YARON
17 Attorneys for defendant TODD
18 SHIPYARDS CORPORATION

19 DATED: June ____, 2010

THE DAVIS LAW FIRM

21 By:

22 WHITNEY A. DAVIS
23 Attorneys for defendant VIAD
24 CORPORATION

1 DATED: June ____, 2010

KNOTT & GLAZIER LLP

3 By:

4 BRIAN THOMAS CLARK
5 Attorneys for defendant LOCKHEED
6 SHIPBUILDING COMPANY

7 DATED: June ____, 2010

HAIGHT BROWN & BONESTEEL LLP

9 By:

10 NAIRI PATERSON
11 Attorneys for defendant NORTHROP
12 GRUMMAN CORPORATION

13 DATED: June 8, 2010

YARON & ASSOCIATES

15 By:

16 GEORGE D. YARON
17 Attorneys for defendant TODD
18 SHIPYARDS CORPORATION

19 DATED: June ____, 2010

THE DAVIS LAW FIRM

21 By:

22 WHITNEY A. DAVIS
23 Attorneys for defendant VIAD
24 CORPORATION

1 DATED: June ____, 2010

KNOTT & GLAZIER LLP

3 By:

4 BRIAN THOMAS CLARK
5 Attorneys for defendant LOCKHEED
6 SHIPBUILDING COMPANY

7 DATED: June ____, 2010

HAIGHT BROWN & BONESTEEL LLP

9 By:

10 NAIRI PATERSON
11 Attorneys for defendant NORTHROP
12 GRUMMAN CORPORATION

13 DATED: June ____, 2010

YARON & ASSOCIATES

15 By:

16 GEORGE D. YARON
17 Attorneys for defendant TODD
18 SHIPYARDS CORPORATION

19 DATED: June 10, 2010

THE DAVIS LAW FIRM

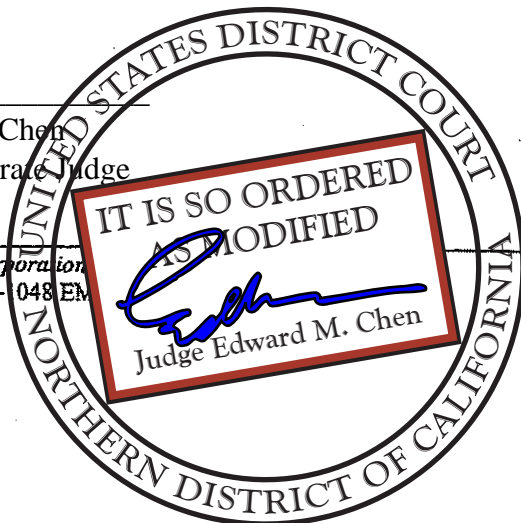
21 By:

22 WHITNEY A. DAVIS
23 Attorneys for defendant VIAD
24 CORPORATION

25 IT IS SO ORDERED that the case management conference is reset from 6/30/10 to
26 9/29/10 at 1:30 p.m. A Joint CMC statement shall be filed by 9/22/10. Plaintiff
27 shall serve a copy of this order upon all defendants.

28 Edward M. Chen
U.S. Magistrate Judge

Bond v. CBS Corporation
Case No. CV-10-048 EM



JOINT FRCP 26(f) REPORT/REQUEST FOR
CONTINUANCE

CERTIFICATE OF SERVICE

I, the undersigned, declare:

I am over the age of eighteen years and not a party to the within cause. I am employed in the County of San Francisco, California; my business address is 44 Montgomery Street, Suite 800, San Francisco, CA 94104.

On the date below, I served one true copy of:

JOINT FRCP 26(f) REPORT AND REQUEST FOR CONTINUANCE OF INITIAL CASE MANAGEMENT CONFERENCE

[XX] BY ELECTRONIC SERVICE: I caused each such document to be delivered by electronic mail to the addressee(s) noted below or on the attachment herein. The service was addressed or directed as follows:

See the Northern District of California's Court's CM/ECF service list.

[XXX] BY MAIL: I placed a true copy, enclosed in a sealed envelope with postage paid, for collection and mailing on the date below at San Francisco, California, following ordinary business practice, to the addressee(s) noted below or on the attachment herein. I am readily familiar with the firm's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day in the ordinary course of business.

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.

Dated: June 11, 2010


Michelle Dantzman

SERVICE LIST

Alan Bond v. CBS Corp., et al

CV101048

6/11/2010

FOSTER WHEELER USA CORPORATION

BRYDON HUGO AND PARKER

135 MAIN STREET STE 200

SAN FRANCISCO, CA 94105

P: (415) 808-0300 F: (415) 808-0333

LESLIE CONTROLS, INC

BRYDON HUGO AND PARKER

135 MAIN STREET STE 200

SAN FRANCISCO, CA 94105

P: (415) 808-0300 F: (415) 808-0333

VIAD CORPORATION, INDIVIDUALLY
AND AS SUCCESSOR IN INTEREST TO
GRISCOM-RUSSELL AND DIAL
CORPORATION

DAVIS LAW FIRM

1730 I Street Suite 240

SACRAMENTO, CA 95811

P: (916) 448-9000 F: (916) 448-9009

NORTHROP GRUMMAN CORPORATION,
INDIVIDUALLY AND AS SUCCESSOR IN
INTEREST TO NEWPORT NEWS
SHIPBUILDING

HAIGHT BROWN AND BONESTEEL

71 STEVENSON STREET 20TH FLOOR

SAN FRANCISCO, CA 94105

P: (415) 546-7500 F: (415) 546-7505

LOCKHEED SHIPBUILDING COMPANY
F/K/A LOCKHEED SHIPBUILDING &
CONSTRUCTION, AND PUGET SOUND
BRIDGE AND DRY DOCK COMPANY

KNOTT AND GLAZIER LLP

201 SPEAR STREET SUITE 1520

SAN FRANCISCO, CA 94105

P: (415) 356-1100 F: (415) 356-1105

TODD SHIPYARDS CORP.

YARON AND ASSOCIATES

601 CALIFORNIA ST 21ST FLR

SAN FRANCISCO, CA 94108

P: (415) 658-2929 F: (415) 658-2930